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Acquitted, convicted, fined or free: after the Oregon standoff

Two years after the armed takeover of a wildlife refuge, consequences vary widely.

Tay Wiles | NEWS | April 12, 2018

The final defendant in the court case stemming from the 2016 armed occupation of Oregon's Malheur National Wildlife Refuge is set to be sentenced this June in Portland. Blaine Cooper of Arizona, who recruited militia members to join the takeover, pleaded guilty to conspiracy to impede federal officers in July 2016. Since then, 25 people have been acquitted, convicted or had their case dismissed for their parts in the refuge occupation.

The 26-person indictment came after Ammon and Ryan Bundy, sons of Nevada rancher Cliven Bundy, led a group of people to take over U.S. Fish and Wildlife buildings (<https://www.fws.gov/nwrs/threecolumn.aspx?id=2147587683>) at the refuge near Burns, Oregon, demanding the lands be handed over to local control. The Bundys described the action as a stand against federal tyranny and government mismanagement of natural resources. Dozens of people from across the country joined the occupation, which lasted 41 days. It ended on Feb. 11, 2016, when FBI agents forced the final four protesters to surrender.



During the occupation of the Malheur National Wildlife Refuge in 2016, Blaine Cooper records a video of Jon Ritzheimer, a member of the Idaho militia group 3%, as he makes a call out to others to occupy the land and take a stand. “We need to hold a camera and a Constitution in their face,” Ritzheimer said, “or there’s nothing stopping them from shooting and killing patriots and initiating what could be a civil war.”

Brooke Warren/High Country News

The occupation stemmed from the jailing of two local ranchers, Dwight and Steven Hammond, who had previously been convicted of arson on federal land. The ranchers had been in a long-standing dispute with the Bureau of Land Management over grazing rights. Inspired by the Hammonds’ plight, Ammon Bundy helped rally hundreds of people to march through the town of Burns in protest of a renewed jail sentence. Directly following the march, Bundy announced he was moving the protest to the nearby wildlife refuge, to “take a hard stand.” While most protesters took their leave at that point, a small group followed Bundy to the refuge. The occupation elicited harsh criticism from members of the Burns Paiute Tribe, whose ancestral lands include the refuge, other locals who disagreed with the Bundys’ armed tactics, and public lands advocates across the country.

[RELATED:<https://www.hcn.org/articles/malheur-occupation-oregon-ammon-bundy-public-lands-essay>]

In October 2016, jurors acquitted Ammon and Ryan Bundy, alongside five others, of charges ranging from conspiracy to possession of firearms in federal facilities and depredation of government property. One juror told *The*

Oregonian (http://www.oregonlive.com/oregon-standoff/2016/10/juror_4_prosecutors_in_oregon.html) that the prosecutors failed to prove conspiracy, the charge on which the others hinged. Once the jurors acquitted the defendants on conspiracy, the court's instructions required them to acquit on firearms charges. Federal prosecutors honed their legal strategy and won convictions of four other occupiers in March 2017. Fourteen people have taken plea deals. One occupier, Pete Santilli, had charges dismissed (<https://www.opb.org/news/series/burns-oregon-standoff-bundy-militia-news-updates/malheur-pete-santilli-prosecutors-case-dismiss-request/>) in September 2016.

Meanwhile, FBI agent Joseph Astarita is being prosecuted in Oregon for lying about his involvement in the January 2016 roadside stop of several occupiers, which ended in the death of LaVoy Finicum of Arizona. Astarita has pleaded not guilty to obstruction of justice and making a false statement. Federal prosecutors contend the agent lied about the incident by saying he did not fire shots at Finicum, when in fact he did. Astarita's trial is set to begin in Portland July 24.

Here's a breakdown of consequences for the Malheur defendants:

ACQUITTED: Ammon Bundy, Ryan Bundy, Shawna Cox, David Fry, Jeff Banta, Neil Wampler and Kenneth Medenbach.

CONVICTED AND SENTENCED:

Jason Patrick: Convicted of conspiracy to impede, trespass, tampering with vehicles and equipment, and destruction and removal of property. Sentenced to 21 months in prison, three years supervision, and \$10,000 in restitution to Friends of the Malheur Refuge.

Duane Ehmer: Convicted of depredation of government property, trespass and tampering with vehicles and equipment. Sentenced to a year in prison, three years supervision, and \$10,000 in restitution to the Burns Paiute Tribe.

Jake Ryan: Convicted of depredation of government property, trespass and tampering with vehicles and equipment. Sentenced to one year in prison, three years supervision, and \$10,000 in restitution to the Burns Paiute Tribe.

Darryl Thorn: Convicted of conspiracy to impede, possession of firearms in a federal facility, trespass and tampering with vehicles and equipment. Sentenced to 18 months imprisonment, three years of supervision, and \$5,000 in restitution to Friends of the Malheur Wildlife Refuge.

Ryan Payne: Pleaded guilty to conspiracy. Sentenced to 37 months in prison, three years supervision, and \$10,000 in restitution to Friends of Malheur National Refuge.

Jon Ritzheimer: Pleaded guilty to conspiracy. Sentenced to a year in prison, three years of supervision, and \$10,000 in restitution to Friends of the Malheur National Wildlife Refuge.

Joe O'Shaughnessy: Pleaded guilty to conspiracy. Sentenced to time served, two years of supervision, and \$7,000 in restitution to Friends of Malheur National Wildlife Refuge.

Brian Cavalier: Pleaded guilty to conspiracy to impede and possession of firearms in a federal facility. Sentenced to time served, three years of supervision and \$7,000 in restitution to the Friends of Malheur National Wildlife Refuge.

Dylan Anderson: Pleaded guilty to trespass. Sentenced to a year of probation and \$1,000 in restitution to the U.S. Fish and Wildlife Service.

Sean Anderson: Pleaded guilty to trespass. Sentenced to a year of probation and \$1,000 in restitution to the U.S. Fish and Wildlife Service.

Sandra Anderson: Pleaded guilty to trespass. Sentenced to a year of probation and \$1,000 in restitution to the U.S. Fish and Wildlife Service.

Wesley Kjar: Pleaded guilty to conspiracy. Sentenced to two years probation and \$3,000 in restitution to Friends of the Malheur National Wildlife Refuge.

Corey Lequieu: Pleaded guilty to conspiracy. Sentenced to 30 months in prison, three years of supervision and \$7,000 to the Friends of Malheur National Wildlife Refuge

Jason Blomgren: Pleaded guilty to conspiracy. Sentenced to two years probation and \$3,000 in restitution to Friends of Malheur National Wildlife Refuge.

Travis Cox: Pleaded guilty to conspiracy. Sentenced to two years probation and \$3,000 to the Friends of Malheur National Wildlife Refuge.

Eric Lee Flores: Pleaded guilty to conspiracy. Sentenced to two years probation and \$3,000 to the Friends of Malheur National Wildlife Refuge.

Geoffrey Stanek: Pleaded guilty to conspiracy. Sentenced to two years probation and \$3,000 to the Friends of Malheur National Wildlife Refuge.

Blaine Cooper: Pleaded guilty to conspiracy. Scheduled for sentencing in June and was already ordered to pay \$7,000 to the Friends of Malheur National Wildlife Refuge.

Note: This story has been updated to include [additional information on restitution \(https://www.documentcloud.org/documents/4436684-8-28-17Restitution.html\)](https://www.documentcloud.org/documents/4436684-8-28-17Restitution.html).

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